Mr. P. A. Muhamad Ashrof *(Cranganur)*: Poll, Sir.

Ayes

1. Mrs. K. M. R. Menon
2. Mr. K. T. Achuthan
3. Mr. K. I. Velayudhan
4. Mr. P. K. Dewer
5. Mr. K. S. Panicker
6. Mr. K. Kochukuttan
7. Mr. K. K. Kannan
8. Rao Sahib K. Ayyappan
9. Mr. P. Govinda Menon
10. Mr. Puthur Achutha Menon
11. Mr. V. R. Krishnan Ezhuthassan
12. Mr. P. K. Paul
13. Mr. P. Sankara Menon
14. Mr. M. I. Paul
15. Mr. M. K. Raja
16. Mr. C. R. Iyyunni
17. Choudhury G. S. Dhara Singh
18. Mr. C. S. Panicker
19. Mr. P. Mani
20. Mr. P. T. Jacob
21. Rao Bahadur T. K. Nayar
22. Mr. L. M. Pylee
23. Mr. S. P. Luiz
24. Mr. K. R. Ramakrishnan
25. Mr. M. K. Verghese
26. Mr. Paramel Ipe Ipe
27. Mr. P. Narayana Menon
28. Mr. K. Natarajan Chettiar
29. Mr. R. S. Thevanna Gounder

Noes

1. Mrs. T. Francis
2. Messrs. A. Eachara Menon
3. P. A. Mohamed Ashroff
4. Jos. K. Verghese
5. Dr. S. S. Rao
6. S. S. Koder
7. Messrs. T. K. L. Kunhuvareed
8. T. V. Kochuvareed
9. M. O. Thomakutty
10. P. V. Sebastian
11. K. A. Raghavan
12. K. Balakrishna Menon
13. Parambi Lonappen

Mr. President: The motion is carried 29 voting for and 13 against.

Mr. Parambi Lonappen *(Minister for Public Health)*: Sir, I wish to make a statement. I stood up against the motion to show that I have got confidence in myself, but to implement the desire of the Council, my resignation follows.

3. GOVERNMENT BILLS

3. The Cochin Payment of Salaries and Allowances Act (Amendment) Bill

Rama Varmha Tampuran, M.B.E.: *(Chief Secretary to Government)*: Sir, I pray that Standing Order No. 32, may be suspended and I may be allowed to move that the Cochin Payment of Salaries and Allowances Act Amendment Bill be taken into consideration now.

Mr. M. Sivarama Menon *(Advocate-General)*: I second it.

Mr. President: I must ask for silence in the visitors' gallery.

Motion put and carried.

Rama Varmha Tampuran, M.B.E. *(Chief Secretary to Government)*: I move that the Bill be taken into consideration now.

Mr. M. Sivarama Menon *(Advocate-General)*: I second it.

Mr. President: I think the Hon'ble Member Mr. Kumaran Ezhuthassan should apologise to the House for keeping it waiting.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: I am sorry, Sir. I do apologise to the House. Mr. President, I move that section 2-A be recast as shown in the agenda, reading "Each Minister shall be entitled to a daily allowance of Rs. 15 and travelling allowance as follows.—

Double first class fare. Mileage at Re. 1 per mile.

What is in the Government's amending Bill is that the Ministers be given the same travelling allowance and daily allowance as are allowed to the Diwans from time to time. That, Sir, as I had occasion to refer at the earlier stage of this Bill on some other day was certainly a suggestion, through an amendment, that I made in an earlier session of this Council when also this identical Bill had come up for amendment. My object then, Sir, was that the Ministers who are as a matter of fact on paper as also in practice with the honourable colleagues of the Diwan—two

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of them now and hereafter more of them—carry on the administration of this State and therefore should get travelling allowance and daily allowance as are allowed to the Diwans from time to time. The wording 'that are allowed to the Diwans from time to time' has its own significance and import. It is this. The Diwans here are often persons of experience either loaned from British Service or come here as you are, Sir, after superannuation or independent politicians or statesmen or both, and these appointments of Diwans who are not Cochinites and who are not from the Cochin Service either stipulate their terms or if it is a case of the officer being loaned, it will be a case of giving them the same travelling allowance and daily allowance as are allowed to them under the rules of service from where they have been loaned. That is the reason why on the former occasion, I happened to word my amendment reading 'as are allowed to Diwans from time to time'. The Government was not wise enough then, was not farsighted enough then to accept my amendment. The singular of 'Minister' originally in the Bill as also in the amendment, I wanted to change into plural because, I was foreseeing the day that No. 1 is going to be raised to No. 2, if not to No. 3 or No. 4. The Government did not agree then that our Diwan and our Ministers should be bracketted together in the matter of travelling allowance and daily allowance. Now I am very glad indeed, Sir, that our Goverament have grown wiser within these two or three months and come forward with their own Bill accepting the suggestions which then were thrown out by me. I am Sir, to that extent glad.

Now, Sir, I am not satisfied with the growth of the wisdom in the Treasury Benches or in the Government. I have begun to see further ahead, Sir, and therefore the amendment before the House. Instead of the expression used in the Amending Bill, *viz.*, 'as are allowed to the Diwans from time to time', I have sought to get these words substituted, that is, I want to fix the daily allowance for our Ministers; I want to fix their travelling allowance and not accept the Government's motion of amendment, *viz.*, 'as are allowed to the Diwans from time to time'. The reason for that proposed change is this: I have begun to see the day, Sir, the date when the Government of Cochin will be carried on by a Cabinet of Ministers, the number necessary being settled by the Chief Minister in consultation with this Honourable House. That is the form of Government for Cochin that I visualise will be established in the very near future. I get my light, Mr. President, for my thinking like this from the Installation Durbar announcement and also in the loving message sent to this House on the opening day of this Session. It is there in these historic pronouncements for persons to read if they have eyes to see things in their true light. That is the position, Sir. Some adjustments have to be made; these Party bickerings have to be got over; these unholy alliances should be broken and reasonable, acceptable arrangements for having a stable Ministry must be made. It is not, Sir, very difficult to achieve all that. If the Hon'ble Leader of the Opposition and some others will put their heads together they can easily, even overnight, devise methods and means by which a stable Ministry can be installed in office at the earliest possible moment and the willingness of His Highness our beloved Maharaja to part with power, to entrust full power to his loving and loyal subjects.....

Mr. President: Order, order. The Hon'ble Member is far away from the subject of this Bill.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: No, Sir, I am quite relevant. I am on my amendment. I had been trying to show that the Government of Cochin, even in the near future, will be, not through the Diwan and the departmental heads as regards certain subjects and through Ministers regarding the transferred departments, but through a full Cabinet of Ministers regarding all subjects. Therefore, it is, Sir, that I have proposed this amendment. That is, the picture that I have before my mind, the administration being carried on not by the Diwan and the Ministers, but by the Cabinet of Ministers. In that view, Sir, their travelling allowance and daily allowance can in no manner be dependent upon the travelling allowance and daily allowance of a non-existent, and imaginary Diwan. Therefore it is, Sir, that I want to make this amendment. I want to make the Bill self-contained, so that another Bill may not be necessary to be brought forward again, in the Vrischigam Session, following because that is the period I see before which responsible Government is to be ushered in Cochin. In order to save another Bill being brought forward when the Cabinet of Ministers take up the adminstration, the words that I have now suggested or similar words will have to be embodied in the Act. To save the Hon'ble Chief Secretary from the necessity of coming before this House at the next meeting with an amending Bill, it is that I have come forward with this amendment even now. I hope, Sir, that the Government will catch at the idea, accept my amendment, *viz.*, daily allowance shall be Rs. 15, travelling allowance shall be double first class and mileage of one rupee and if there is any other

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sub-head of travelling allowance and daily allowance, include that also—you can add that during the third reading. This is the suggestion that I place before this House through this amendment. I pray that it may be accepted.

Mr. President: There is nobody to second the amendment. I am afraid the amendment falls to the ground.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Unholy alliances again, Sir, and not the merit of the case. Let it by all means. I have done my duty.

Clauses 2 to 4 put and carried

Clause 1 put and carried

Title and preamble put and carried

Rama Varmha Tampuran, M.B.E. *(Chief Secretary to Government):* Sir, I request that the Chair may be pleased to allow me to move for the final reading of the Bill on next Tuesday.

Mr. M. Sivarama Menon *(Advocate-General):* I second it.

Motion put and carried

4. The Cochin Factories Act (Amendment) Bill

Mr. K. Balakrishna Menon *(Minister for Development):* Sir, I move that the Cochin Factories Act (Amendment) Bill be read in Council.

Mr. M. Sivarama Menon *(Advocate-General):* I second the motion.

Motion put and carried

Secretary to the Council: The title of the Bill is the Cochin Factories Act (Amendment) Bill.

Mr. K. Balakrishna Menon *(Minister for Development):* Sir, I move that Standing Order No. 32 may be suspended.

Mr. President: Yes.

Mr. K. Balakrishna Menon *(Minister for Development):* I move that the Cochin Factories Act (Amendment) Bill be taken into consideration.

Mr. M. Sivarama Menon *(Advocate-General):* I second it.

Motion put and carried

Clauses 2 to 7 put and carried

Clause 1 put and carried

Title and preamble put and carried

Mr. K. Balakrsihna Menon *(Minister for Development):* I move that the Bill may be taken up and finally passed on next Tuesday.

Mr. M. Sivarama Menon *(Advocate-General):* I second it.

Motion put and carried

5. The Cochin Trade Marks Act (Amendment) Bill

Rao Sahib C. J. Mathew *(Secretary to Government):* Sir, I beg to move that the Cochin Trade Marks Act (Amendment) Bill be read in Council.

Mr. M. Sivarama Menon *(Advocate-General):* I second the motion and in doing so I wish to bring to the notice of the House the purpose of this amendment. Every one knows that a trade mark is practically one's property; just as there is a good will in the trade, one who has put in the market a certain trade mark which has attracted some reputation in the market is practically a kind of property which is vested in him. Indeed throughout the several sovereign jurisdictions it has been found very difficult for traders to zealously and invidiously guard their property in trade marks. A person who gets his trade mark registered in Cochin cannot have real protection of that trade mark in Hyderabad unless and until this trader here goes before a Hyderabad Court of law and prove that his trade mark has got a reputation within the territories of that State. And it has been a long standing complaint of the traders that there should be

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